

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
THE COMMUNITY PRESERVATION
CORPORATION,

Plaintiff,

-against-

1974 REALTY ASSOCIATES,

Defendant.
-----X

CV10- 2061

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ MAY 06 2010 ★

BROOKLYN OFFICE

COGAN, J.

NOTICE OF REMOVAL

To the Judges of the United States District Court for the Eastern District of New
York:

The removal petition of 1974 Realty Associates (the "Debtor") respectfully shows:

1. On May 29, 2002, the Community Preservation Corporation ("Plaintiff") commenced an action captioned THE COMMUNITY PRESERVATION CORPORATION, Plaintiff v. 1974 REALTY ASSOCIATES, Defendant, in the Supreme Court of the State of New York, Kings County, Index No. 21023/02 (the "State Court Case").

2. On March 8, 2010 (the "Filing Date"), the Debtor filed a voluntary petition under Chapter 11 of the United States Code, 11 U.S.C. §§101 et seq. in the United States Bankruptcy Court for the Southern District of New York.

3. The State Court Case is an action related to property of the Debtor's estate and the administration of the estate. Consequently, it is a core proceeding under, inter alia, 28 U.S.C. §157(b)(2)(A)(B)(E)(K) and (O). Accordingly, the United States District Court for the Eastern District of New York has jurisdiction over this matter pursuant to 28 U.S.C. §1334.

4. Therefore, the State Court Case may be removed to the United States District Court by the Debtor pursuant to 28 U.S.C. §1452.

WHEREFORE, the Debtor prays that the entirety of the State Court Case, as defined herein and captioned below:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

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THE COMMUNITY PRESERVATION
CORPORATION,

Plaintiff,

-against-
1974 REALTY ASSOCIATES,
Defendant.

Index No. 21023/02

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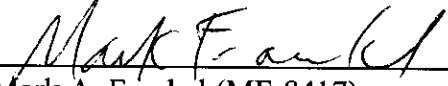
and now pending before the Supreme Court of the State of New York, County of Kings, and all proceedings therein, be removed therefrom to this Court.

Dated: New York, New York
May 6, 2010

BACKENROTH FRANKEL & KRINSKY,
LLP

Attorneys for the Debtor

By: _____


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